

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 922 OF 2015

M/s. Popular Shares Services Pvt. Ltd. ..Appellant
Versus
1.Sanjay Ramniklal Sanghvi and ors. ..Respondents

Mr. Samir A. Vaidya, advocate for the appellant.
Mr. M. G. Shukla, advocate for respondent No.1.

**CORAM : RANJIT MORE &
V. L. ACHLIYA, JJ.**

DATE : 3rd DECEMBER, 2015.

P. C. :

By this appeal, the appellant is challenging the order dated 14th August, 2015, passed by the learned Special Judge, M.P.I.D. and Addl, Sessions Judge, City Civil and Sessions Court at Bombay in miscellaneous application No. 8 of 2012 in MPID spl. case No.5 of 2001. By the said order, the attachment in respect of the subject property was set-aside and the possession of the same was directed to be handed over to respondent No.1 on payment of deposit of Rs.1.5 lakhs in the Designated Court.

2. The appellant objected the impugned order on the ground that it is the tenant in the subject property. We do not find any merit in

the objection, as admittedly, respondent No.1 filed a suit against the appellant in the Rent Court for eviction and this suit is decreed upto the Supreme Court. We, therefore, find that the appellant has no locus to challenge the impugned order. The appeal is without any merits and the same is, accordingly, dismissed.

3. Mr. Vaidya, learned counsel for the appellant, at this stage, prays that this order be stayed. However, looking into the fact that the appellant is not in possession of the subject property, we are not inclined to grant stay. The prayer for stay is, accordingly, rejected.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]